



PATENT

Customer No. 22,852

Attorney Docket No. 03495-0197-00000

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Pierre CHARNEAU et al.

Serial No.: 09/685,343

Filed: October 11, 2000

For: LENTIVIRAL TRIPLEX DNA, AND  
VECTORS AND RECOMBINANT  
CELLS CONTAINING LENTIVIRAL  
TRIPLEX DNA

) Group Art Unit: 1633

) Examiner: Drabik, C.

Commissioner for Patents and Trademarks  
Washington, DC 20231

Sir:

DEPOSIT DECLARATION

I, Danielle Berneman, do hereby declare:

1. That I am a citizen of France.
2. I am the Head of the Patent Section of the Institut Pasteur in Paris, France, to whom this patent application has been assigned.
3. On information and belief, plasmid pTRIP ΔU3 EF1αGFP, disclosed in this application, was deposited on October 11, 1999, under the provision of the Budapest Treaty at the National Collection of Cultures of Microorganisms (C.N.C.M.) in Paris, France, and assigned Accession No. I-2328.

FINNEGAN  
HENDERSON  
FARROW  
GARRETT &  
DUNNER LLP

1300 I Street, NW  
Washington, DC 20005  
202.408.4000  
Fax 202.408.4400  
www.finnegan.com

Application Serial No.: 09/685,343  
Attorney Docket No. 03495-0197-00000

4. On information and belief, the C.N.C.M. has acquired the status of International Depository Authority within the meaning of the Budapest Treaty on the International Recognition of the Deposit of Microorganisms for the Purposes of the Patent Procedure.

5. On information and belief, all restrictions on the availability to the public of the deposited cultures will be irrevocably removed no later than the granting of a patent from the above-identified application.

6. On information and belief, Institut Pasteur will replace the deposited plasmid I-2328 should it become non-viable during the period that extends thirty (30) years from the date of the deposit, or the period of the enforceable life of the patent, or the period of five years after the last public request for the deposit, whichever period is longest.

8. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title of 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued therefrom.

Signed this 29<sup>th</sup> day of April, 2002.



Danielle Berneman  
Head of Patents and Inventions  
Institut Pasteur

Danielle BERNEMAN  
Chef du Service des Brevets  
& inventions

FINNEGAN  
HENDERSON  
FARABOW  
GARRETT &  
DUNNER LLP

1300 I Street, NW  
Washington, DC 20005  
202.408.4000  
Fax 202.408.4400  
www.finnegan.com